

104TH CONGRESS
1ST SESSION

H. R. 1988

To amend the United States Housing Act of 1937 to provide for more expeditious evictions from public housing, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

JUNE 30, 1995

Ms. MOLINARI introduced the following bill; which was referred to the Committee on Banking and Financial Services

A BILL

To amend the United States Housing Act of 1937 to provide for more expeditious evictions from public housing, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Public Housing Safety
5 Act of 1995”.

6 **SEC. 2. EXCLUSION OF EVICTIONS FROM GRIEVANCE**
7 **PROCEDURE.**

8 Section 6(k) of the United States Housing Act of
9 1937 (42 U.S.C. 1437d(k)) is amended by striking the

1 first sentence of the matter following paragraph (6) and
2 inserting the following:

3 “A public housing agency shall exclude from its procedure
4 any grievance concerning an eviction or termination of
5 tenancy in any jurisdiction that requires that, prior to
6 eviction, a tenant be given a hearing in court which the
7 Secretary determines provides the basic elements of due
8 process. The Secretary shall establish such basic elements
9 of due process by rule under section 553 of title 5, United
10 States Code.”.

11 **SEC. 3. GROUNDS FOR EVICTION.**

12 Section 6(l)(5) of the United States Housing Act of
13 1937 (42 U.S.C. 1437d(l)(5)) is amended—

14 (1) by striking “criminal” the first place it ap-
15 pears; and

16 (2) by striking “on or near such premises”.

17 **SEC. 4. REQUIRED EVICTIONS FOR CRIMINAL CONVIC-**
18 **TIONS.**

19 (a) REQUIREMENT.—Section 6(n) of the United
20 States Housing Act of 1937 (42 U.S.C. 1437d(n)) is
21 amended—

22 (1) by inserting “(1)” after “(n)”; and

23 (2) by adding at the end the following new
24 paragraph:

1 “(2) Each public housing agency administering a
2 public housing project shall terminate the tenancy of, and
3 evict, any tenant of the project who, at any time during
4 the tenant’s tenancy in the project that is after the date
5 of the enactment of the Public Housing Safety Act of
6 1995, is convicted of a felony. This paragraph may not
7 be construed to require a public housing agency to evict
8 any other persons who occupy the same dwelling unit as
9 the person required to be evicted.”.

10 (b) LEASE PROVISIONS.—Section 6(l) of the United
11 States Housing Act of 1937 (42 U.S.C. 1437d(l)) is
12 amended—

13 (1) in paragraph (5), by striking “and” at the
14 end;

15 (2) in paragraph (6), by striking the period at
16 the end and inserting “; and”;

17 (3) by adding at the end the following new
18 paragraph:

19 “(7) require the public housing agency to termi-
20 nate the tenancy of, and evict, any tenant convicted
21 of a felony as provided in subsection (n)(2).”.

22 **SEC. 5. APPLICABILITY.**

23 The amendments made by this Act shall apply not-
24 withstanding any consent judgment entered before the
25 date of the enactment of this Act relating to actions and

1 procedures subject to the provisions of law amended by
2 this Act.

